



Pra titl n r' D k t N . 915-376

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: H. Honko et al

Application No: 09 / 700,690

Group No.: 2155

Filed: November 17, 2000

Examiner: Kevin T. Bates

For: TELECOMMUNICATION SERVICES IDENTIFICATION

**RECEIVED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MAY 24 2004

Technology Center 2100

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF EITHER A FINAL ACTION  
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

**NOTE:** 37 C.F.R. 1.97: "(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

- (1) The statement specified in paragraph (e) of this section; or
- (2) The fee set forth in § 1.17(p)."

**NOTE:** "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

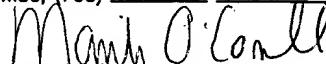
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**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_



Signature

Date: May 14, 2004

Marilyn O'Connell

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**NOTE:** 37 C.F.R. § 1.704(d): "A paper containing only an information disclosure statement in compliance with §§ 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of this section if it is accompanied by a statement that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement. This thirty-day period is not extendable."

**NOTE:** "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, if the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. § 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

**WARNING:** No extension of time can be had under 37 C.F.R. 1.136 (a) or (b) for filing an IDS. 37 C.F.R. 1.97(f).

### **TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:
  - (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,whichever occurs first.

### **STATEMENT OR FEE**

2. Accompanying this transmittal is

*(check either A or B below)*

- A.  a statement as specified in 37 C.F.R. § 1.97(e).

**OR**

- B.  the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

*(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance. [6-4]—page 2 of 3)*

## FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).

Fee due \$ 180.00

## METHOD OF PAYMENT OF FEE

4.

- Attached is a  check  money order in the amount of \$ 180.00
- Authorization is hereby made to charge the amount of \$ \_\_\_\_\_
- to Deposit Account No. \_\_\_\_\_
- to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should not be included on this form as it may become public.

- Charge any additional fees required by this paper or credit any overpayment in the manner authorized above to Deposit Account No. 23-0442
- A duplicate of this paper is attached.



SIGNATURE OF PRACTITIONER

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915-376

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of :  
H. Honko et al :  
Serial No. 09/700,690 : Examiner: Kevin T. Bates  
Filed: November 17, 2000 : Group Art Unit: 2155  
For: TELECOMMUNICATION SERVICES IDENTIFICATION

Director  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submit herewith references of which they are aware, which they believe may be material to the examination of this application and in respect of which they may have a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56(b), it is not intended to constitute an admission that any document referred to herein is "prior art" for this invention unless specifically designated as such.

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Director, U.S. Patent Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Marilyn O'Connell  
Marilyn O'Connell  
May 14, 2004  
Date

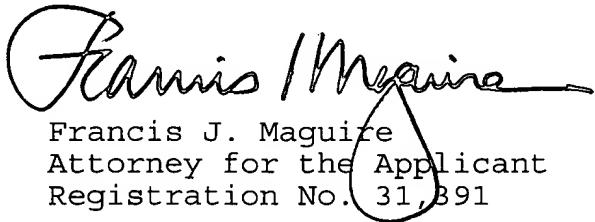
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915-376  
Serial No. 09/700,690

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined under 37 CFR 1.56(a) exists.

Enclosed is a Form PTO-1449 listing the cited references.

Respectfully submitted,

  
Francis J. Maguire  
Attorney for the Applicant  
Registration No. 31,391

/mo  
March 1, 2004  
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Sheet 1 of 1

<b>FORM PTAB AND TRADEMARK O-1449</b>	<b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>	<b>ATTY. DOCKET NO.</b> <b>915-376</b>	<b>SERIAL NO.</b> <b>09/700,690</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>APPLICANT</b> <b>H. Honko et al</b>	
(Use several sheets if necessary) (37 CFR 1.98(b))		<b>FILING DATE</b> <b>Nov. 17, 2000</b>	<b>GROUP</b> <b>2155</b>

## **U.S. PATENT DOCUMENTS**

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## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)**

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>	

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.